

**CIVIL DOCKET**  
**UNITED STATES DISTRICT COURT**

Jury demand date:

D. C. Form No. 106A Rev.

9

## TITLE OF CASE

## ATTORNEYS

William J. McPartland,

vs

<sup>k</sup>  
 Berkshire Life Insurance Company,  
 a corporation

For plaintiff:

 C. Rabon Martin <sup>622-4222</sup>  
 Crowe and Thieman  
 11-3 Southland Financial Center  
 4111 South Darlington  
 Tulsa, Oklahoma 74135

For defendant:

 Charles P. Gotwals, Jr.  
 Gable, Gotwals, Hays, Rubin & Fox  
 Fourth National Building  
 Tulsa, Oklahoma 74119

## STATISTICAL RECORD

## COSTS

## DATE

NAME OR  
RECEIPT NO.

## REC.

## DISB.

J.S. 5 mailed 8-1

Clerk

 7-29-69 Crowe  
 7-31-69 C/D 5

15 00

15 00

J.S. 6 mailed 7-1-70

Marshal

 Basis of Action: Return  
 of commitment fee.  
 Cancellation of note.

Docket fee

Witness fees

Action arose at:

Depositions

| DATE     | PROCEEDINGS  | Date Order or Judgment Noted |
|----------|--|------------------------------|
| 7-29-69  | Complaint filed. Summons issued. h   |                              |
| 8-7-69   | Return on service of summons, filed. Executed by John Rogers, Secy of State, who received writ on 7-31-69, and forwarding a copy thereof on that date to Berkshire Life Insurance Company at Pittsfield, Mass. by certified mail, return receipt requested. ds |                              |
| 8-14-69  | Return on service of summons filed. Executed by serving Berkshire Life Ins. Co. by serving John Rogers, Secy of State of Okla and paying him \$3.00, on 7-31-69, at Okla City, Okla. (\$4.72) ds   |                              |
| 8-20-69  | Answer and cross-complaint, filed. m   |                              |
| 9-5-69   | Answer to Counterclaim filed by plaintiff. h   |                              |
| 9-25-69  | Defendant's interrogatories submitted to the plaintiff, filed. b   |                              |
| 10-6-69  | Objections to defendant's interrogatories numbered 9 and 10, filed. ds   |                              |
| 10-6-69  | Brief in support of objections to defendant's interrogatories, filed. ds   |                              |
| 10-8-69  | Plaintiff's answers to def't's interrogatories filed 9-25-69, filed. m   |                              |
| 10-13-69 | Order overruling in part and sustaining in part objections to interrogatories No. 9 and 10, filed. (MME-C) ds  |                              |
| 10-23-69 | Plaintiff's answers to defendant's interrogatories numbered 9 and 10, filed. m   |                              |
| 1-6-70   | Minute Order: Parties directed to hold pre-trial prior to 2-6-70, and file pre-trial order not later than 2-12-70. (AEB-J)g  |                              |
| 1-15-70  | Plaintiff's request for admissions, filed. b   |                              |
| 1-22-70  | Defendant's Answers to Request for Admissions & Interrogatories, filed. js   |                              |
| 2-25-70  | Application of plaintiff for an extension of time for submission of pre-trial order, filed. ds   |                              |
| 2-25-70  | Order, that an extension of time for filing pre-trial order be granted until 3-6-70, filed. (AEB-J) ds   |                              |
| 3-3-70   | Deposition of William J. McPartland, on behalf of defendant, taken on 2-11-70, before Frank L. Peterson, CSR, filed. \$20.00 ds  |                              |
| 3-5-70   | Plaintiff's proposed pre-trial order, filed. m   |                              |
| 3-5-70   | Defendant's proposed pre-trial order, filed. m   |                              |
| 3-6-70   | Defendant's motion for summary judgment, filed. b  |                              |
| 3-6-70   | Defendant's brief in support of motion for summary judgment, filed. b  |                              |
| 3-6-70   | Ordered by the Court that the plaintiff file response, with brief, to the defendant's motion for summary judgment within 10 days. (Allen E. Barrow - Judge) b  |                              |
| 3-12-70  | Motion for leave to amend complaint, filed. ds   |                              |
| 3-12-70  | Brief in support of motion for leave to amend, filed. ds   |                              |
| 3-17-70  | Plaintiff's response to motion of defendant for Summary Judgment and brief, filed. b   |                              |
| 3-20-70  | Order sustaining motion to amend complaint, filed. g (AEB-J)g  |                              |
| 3-20-70  | Amendment to complaint, filed. g   |                              |
| 5-13-70  | Case called for hearing on Defendant's motion for summary judgment, parties announce settlement, and proper order to be filed in 2 weeks, and hearing on motion stricken. (AEB-J)h   |                              |
| 6-4-70   | It is ordered that this case is set for Disposition on Tuesday, July 7, 1970 at 10:00 A.M. (AEB-J)v  |                              |
| 6-11-70  | Dismissal with prejudice by plaintiff filed and entered. h (counterclaim pending)  |                              |
| 6-12-70  | Defendant's dismissal with prejudice of cross-complaint, filed. b  |                              |